REMARKS/ARGUMENTS

Claims 1-40 are pending. Claims 1-40 are rejected under 35 U.S.C. §102(e). Applicants respectfully request further examination and reconsideration in view of the instant response. No new matter has been added herein.

CLAIM REJECTIONS

Rejection under 35 U.S.C. §102(e)

Claims 1-40

Claims 1, 15, 28, and 36

Claims 1-40 are rejected under 35 U.S.C. §102(e) as being anticipated by Janik et al. (US PGPUB No. 20020013852), hereinafter referred to as "Janik". The rejection is respectfully traversed for the reasons below. Independent claim 1 recites:

> A method of servicing content for delivery to a client device, said method comprising:
> identifying a type of service to be performed on an item of content, said item of content identified in a request from said client device, said request received at a portal;
> identifying a provider of said type of service; and
> providing information for establishing communication between said client device and said provider, wherein communication with said client device is redirected from said portal to said provider.

Emphasis added.

Independent claim 1 recites, "identifying a type of service to be performed by an item of content...", and "identifying a provider of said type of service". **Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.** *Lindemann Maschinefabrik GmbH v. American Hoist &*

Derrick Co., 221USPQ 481, 485 (Fed. Cir. 1984). Applicants respectfully submit that Janik fails to disclose each and every element of claim 1, arranged as in the claim.

Specifically, Janik fails to teach or suggest "identifying a type of service to be performed on an item of content...", and "identifying a provider of said type of service". In contrast, Applicants understand Janik to teach "delivering content, data, and application services to a variety of thin client devices". (paragraph 0027, lines 2-3) Applicants' invention focuses upon a method of performing a service upon a requested item of content and its associated service provider, whereas Janik focuses upon a system of delivering content to a client device.

For instance, paragraph 0027 of Janik states that "the system is used to provide a means for end users to program preference-based content for delivery at various client devices, and then to automatically or under the control of the user, send the content to client devices for presentation to the end user". In contrast, Applicants disclose an embodiment of their invention in Figure 2A, which illustrates the flow of information in and out of a system for servicing and delivering content to a client device.

In one embodiment, this flow of information (a content request) begins at the client device 150, travels to a portal 140, and then to a service location manager 120. The service location manager 120 manages a number of service providers 130. Based upon various factors, the service location manager 120 determines what service is to be performed upon the content requested and what service provider 130 shall perform this service. Service location manager 120 communicates this information through portal 140, back to client device 150, and then to the selected service provider 130. Service provider 130 then sends the requested content 110, having performed any directed service upon it, to client device 150. In this manner, embodiments of Applicants' invention may provide services to a large number of diverse client devices, which accommodate the preferences and requirements of the diverse clients.

Janik, on the other hand and as illustrated in its figure 1 regarding a block diagram of its system, differs markedly from Applicants' figure 2A. For instance, Janik does not show a service provider 130 as is in Applicants' figure 1. Nor does Janik's figure 1 display the flow of

information in the same directions or for the same purposes as in Applicants' figure 2A. For example, Applicants' figure 2A describes the flow of information based upon determining the service provider needed to perform a service upon a content source in order to deliver the content source to the client device. However, Janik's figure 1 describes the flow of information based upon what content is requested and to which client it will be delivered.

The Examiner points out Janik's paragraph 0073, lines 19-24, in explaining that Janik discloses "identifying a type of service to be performed on an item of content identified in a request from said client device, said request received at a portal". Paragraph 0073 states:

> The graphical interactive representation of the portal to the end user is as a series of hyper-linked web pages and hyper-linked text and images. The physical manifestation of the portal is that of software and data stored on servers located at various and separate physical locations, but connected by Internet 8.

While Janik does have a portal, this portal does not perform the same function as the portal in Applicants' invention. Nor, does this excerpt from Janik disclose "identifying a type of service to be performed on an item of content".

Additionally, Janik's paragraph 0074, lines 1-14, outlines the method of usage of the portal, with the last sentence stating, "The purpose of the portal is to simplify and facilitate the discovery and selection of content 10 from Internet 8 for later use on client devices 78". Nothing in Janik explains, "identifying a type of service to be performed on an item of content".

Moreover, Janik's paragraph 0096, lines 3-5, as well as paragraph 0098, lines 1-4, also do not disclose, "identifying a type of service to be performed on an item of content". For example, paragraph 0096, lines 3-5 states, "10 from Internet 8 and also processes commands contained in messages sent from client devices 78, providing, but not limited to, the following functions:". This excerpt does not disclose any identification of a type of service to be performed on an item of content. Rather, Janik is actually performing a requested service. Paragraph 0098, lines 1-4 states the following:

> Accessing content 10 on Internet 8 at a prescribed location as determined by user inputs into the GUI content editors such as audio device content editor 24 and Internet clock content editor 40.

This excerpt explains the act of accessing content, not identifying a type of service to be performed on an item of content.

Furthermore, neither Janik's paragraph 0071, lines 3-8 (a note on "the functionality of the software and hardware pertinent to the invention"), paragraph 0072, lines 1-6 (a general statement regarding the system's architecture), nor paragraph 0103, lines 1-2 (a brief description of a service actually being performed on content, as referenced by the Examiner, disclose "identifying a type of service to be performed on an item of content, said item of content identified in a request from said client device, said request received at a portal".

Janik's paragraph 0084, lines 12-17, was referenced as disclosing "identifying a provider of said type of service":

> application and resides and runs on PC 34. System control application 18 serves the function of managing the connection between content 10 and various servers on Internet 8, and PC 34 and storage gateway 38, and also manages the flow of information between PC 34 and storage gateway 38, and client devices 78.

However, nothing in this except refers to or infers "identifying a provider of said type of service", taken by itself, or in the context of Applicants' invention.

Similarly, Janik's referenced paragraph 0071, lines 3-8, and paragraph 0072, lines 1-6, do not refer to "identifying a provider of said type of service", taken by themselves, or in context of Applicants' invention.

Janik's system for delivering content fails to teach or suggest "identifying a type of service to be performed on an item of content...", or "identifying a provider of said type of service". In contrast, Applicants understand Janik to teach a method for channeling content to computer devices, and does not disclose a client device's request for content being communicated to a service location manager. Nor does Janik teach that the service location

manager selects one of many service providers to perform a necessary service on the requested content. Thus, Janik fails to teach "identifying a type of service to be performed on an item of content, said item of content identified in a request from said client device, said request received at a portal", or "identifying a provider of said type of service", as claimed.

For the foregoing rationale, claim 1 is not anticipated by Janik. As such, allowance of claim 1 is respectfully solicited.

Independent claim 15 recites:

> The system of Claim 14 wherein said service manager sends information identifying said provider to said client device via said portal.

Applicants are unclear as to whether or not the Examiner meant to group claim 15 in along with claim 1, 28, and 36. However, Applicants also respectfully submit that claim 15 is not anticipated by Janik. For example, Janik discloses a portal, the "graphical interactive representation of the portal to the end user is as a series of hyper-linked web pages and hyper-linked txt and images". The purpose of the portal as stated in Janik "is to simplify and facilitate the discovery and selection of content 10 from Internet 8 for later use on client devices 78". Paragraphs 0073-0074. In contrast, Applicants' portal "serves as the first point of contact between client device 150 and system 100" (page 10, lines 10-15), such that the portal may pass the client's request on to the service location manager. Additionally, in one embodiment, the service location manager sends identifying information from the service provider to the client device via the portal.

Janik fails to disclose the portal as a medium through which a service location manager passes information to a client device, regarding what service provider is to perform a specific

service upon a content source. Thus, Janik fails to teach a service location manager sending "information identifying said provider to said client device via said portal".

For the foregoing rationale, claim 15 is not anticipated by Janik. As such, allowance of claim 15 is respectfully solicited.

Independent claim 28 recites:

> A computer-usable medium having computer-readable program code embodied therein for causing a computer system to perform a method for servicing content for delivery to a client device, said method comprising:
>
> identifying a type of service to be performed on an item of content, said item of content identified in a request from said client device, said request received at a portal;
>
> identifying a provider of said type of service; and
>
> providing information for establishing communication between said client device and said provider, wherein communication with said client device is redirected from said portal to said provider.

Independent claim 28 recites similar limitations as independent Claim 1. For the reasons discussed in the response to claim 1, claim 28 is not anticipated by Janik.

Independent claim 36 recites:

> A computer-usable medium having computer-readable program code embodied therein for causing a computer system to perform a method for servicing content for streaming to a client device, said method comprising:
>
> identifying a type of service to be performed on an item of content, said item of content identified in a request from said client device, said request received at a portal;
>
> identifying a provider of said type of service;
>
> providing information for establishing communication between said client device and said provider, wherein communication with said client device is redirected from said portal to said provider, wherein data for said item of content is streamed to said provider

from a source of said item of content and wherein service result data is streamed from said provider to said client device.

Independent claim 36 recites similar limitations as independent claim 1. For the reasons discussed in the response to claim 1, claim 36 is not anticipated by Janik.

Claims 2-8, 29-35, and 37-40 depend from claims 1, 28, and 36 respectively, which are believed to be allowable for the foregoing reasons. As such, claims 2-8, 29-35, and 37-40 are believed to be allowable and their allowance is earnestly solicited.

Claim 9

Independent claim 9 recites:

> A method of servicing content for streaming to a client device, said method comprising:
>
> identifying a type of service to be performed on an item of content, said item of content identified in a request from said client device, said request received at a portal;
>
> identifying a provider of said type of service;
>
> providing information for establishing communication between said client device and said provider, wherein communication with said client device is redirected from said portal to said provider, wherein data for said item of content is streamed to said provider from a source of said item of content and wherein service result data is streamed from said provider to said client device.

Emphasis added.

Independent claim 9 is similar to claim 1, except that the claim 9 discusses streamed data. However, as described herein, "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim". For the reasons discussed in the response to claim 1, claim 9 is not anticipated by Janik.

Claims 10-13 depend from claim 9, which is believed to be allowable for the foregoing reasons. As such, claims 10-13 are believed to be allowable and their allowance is earnestly solicited.

Claim 14

Independent claim 14 recites:

> A system for providing content to a client device, said system comprising:
> a service manager for receiving a request for an item of content from a portal, wherein said portal received said request from said client device, said service manager also for selecting a provider of a type of service to be performed on said item of content, wherein communication with said client device is redirected from said portal to said provider such that communication with said client device continues via said provider, said provider for performing said service on said item of content and for forwarding service result content to said client device.

Emphasis added.

Independent claim 14 is similar to claim 1, except that the claim 14 discusses forwarding service result content to the client device. However, as described herein, "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim". For the reasons discussed in the response to claim 1, claim 14 is not anticipated by Janik.

Claims 15-24 depend from claim 14, which is believed to be allowable for the foregoing reasons. As such, claims 15-24 are believed to be allowable and their allowance is earnestly solicited.

Claim 25

Independent claim 25 recites:

A system for streaming content to a client device, said system comprising:

a service manager for receiving a request for an item of content from a portal, wherein said portal received said request from said client device, said service manager also for selecting a provider of a type of service to be performed on said item of content, wherein communication with said client device is redirected from said portal to said provider such that communication with said client device continues via said provider, wherein said item of content is streamed from a content source to said provider, said provider for performing said service on said item of content and for streaming service result content to said client device.

Emphasis added.

Independent claim 25 is similar to claim 1, except that the claim 25 discusses streamed data. However, as described herein, "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim". For the reasons discussed in the response to claim 1, claim 25 is not anticipated by Janik.

Claims 26-27 depend from claim 25, which is believed to be allowable for the foregoing reasons. As such, claims 26-27 are believed to be allowable and their allowance is earnestly solicited.

Consequently, Applicants respectfully submit that the embodiment of the Applicants' invention as set forth in Independent claims 1, 9, 14, 25, 28, and 36 are not anticipated by Janik. Additionally, Applicants respectfully point out that claims 2-8, 10-13, 15-24, 26-27, and 29-35 are in condition for allowance as being dependent on allowable base claims. For reasons stated herein, Applicants respectfully state that Applicants' invention is not anticipated by Janik as claimed in claims 1-40 and as such the rejection under 35 U.S.C. §102(e) is overcome.

CONCLUSION

In light of the above-listed remarks, the Applicants respectfully request allowance of the claims 1-40.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Date: 5/21, 2007

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